

1. What is the Prescription Drug Donation Program?

- The program, authorized by H.B. 2561, 85th Legislature, allows individuals to donate unused prescription drugs in single unit-dose packaging to participating providers, who will distribute them to eligible recipients.

2. What services are provided?

- Prescription drug donation and dispensation within the community

3. Who can donate prescription drugs (medications)?

- Anyone.

4. What prescription drugs can be donated to the program?

- FDA approved prescription drugs in original, tamper-evident, single unit-dose packaging (also known as “blister packs”). Unit-dose, or single dose, packaging means each dose (or pill) is individually wrapped.
- All donated drugs must:
 - Be approved by the Food and Drug Administration (FDA)
 - Be dispensed only by prescription
 - Bear the federal legend “Rx Only” or “Caution: Federal Law Prohibits Dispensing Without Prescription”
 - Be packaged into original sealed, unit-dose packages such as blister-cards, and
 - Be intended for human use

5. What prescription drugs cannot be donated to the program?

- A prescription drug cannot be donated if it:
 - Is a controlled substance. Controlled substances are drugs that can cause physical or mental dependence, and have restrictions on how they can be filled or refilled. They are regulated by the government. If you have questions on whether or not your donated drug may be a controlled substance, please contact the program staff.
 - Has not been stored in compliance with its product label

- Requires require storage temperatures other than normal room temperature. This includes drugs that have to be refrigerated.
- Required by the FDA to have a risk evaluation or mitigation strategy
- Is adulterated (e.g. changes to the substance without authorization)
- Is misbranded (e.g. false label statements), or
- Was previously purchased by Medicaid

6. What are the requirements to participate as a participating provider?

- A participating provider must be a:
 - Health care facility. This definition is restricted to hospitals, convalescent and nursing facilities and related institutions, and ambulatory surgical centers,
 - Pharmacy, or
 - Pharmacist who is an employee of a facility or pharmacy that elects to participate in the program

7. Is the DSHS Pharmacy Branch a participating provider?

- No. The DSHS Pharmacy Branch *will neither* accept *nor* dispense drugs from its warehouse as a part of this program.

8. Where can a list of participating providers be found?

- On the Prescription Drug Donation Program webpage.

9. Who are the recipients of this program? What are the requirements to receive medication?

- Any individual with a valid prescription can receive medication through this program. The recipient must sign a Recipient Form stating that the recipient:
 - understands that the drug(s) is/are donated
 - accepts any risk associated with accidental mishandling of the drug(s), and
 - acknowledges that the donor and the participating provider are acting in good faith and are therefore released from liability.

10. Do I have to pay for a prescription filled with donated medications?

- It will depend upon which participating provider you get your medication from. Participating providers can charge a handling fee up to \$20 to a recipient for the medications that they receive.

11. How do I find out where the medication I need has been donated?

- You can visit the Prescription Drug Donation Program website to see a list of participating providers where you can go to receive donated medications.

12. How do I know that the medications that I am receiving were cared for properly?

- Donors must sign a donor form certifying that the medication was properly stored and that the packaging has not been opened, tampered with, adulterated, or misbranded. All donated medications are inspected by a pharmacist to ensure that they are safe and suitable for dispensing. As the recipient, you are required to sign the recipient form acknowledging that both the donor and participating provider acted in good faith in the donation and inspection of the medications, and release them from liability. This means that they are not legally responsible if anything negative were to happen to you as a result of you taking the donated drugs.

13. Can a long-term care facility donate the unused prescription drugs of a resident?

- Yes, if the medication meets the requirements outlined under question #4. A representative of the facility will be required to sign a form certifying that you are the owner of the medication.

14. A member of my family recently passed away. Can I donate his/her left over medications to the program?

- Yes, if the medication meets the requirements outlined under question #4. You will be required to sign a form certifying that you are the owner of the medication.

15. What do I do have I have a complaint against a participating provider?

- You should first follow the participating provider's complaint or grievance policy.
- If a resolution is unable to be reach at the provider level, complaints may be submitted to the program's email inbox at rxdrugdonation@dshs.texas.gov with the subject line "Complaint." Responses to complaints will be made within 14

business days. Customer complaints are immediately assessed and prioritized. If there is a delay in responding, you will receive an interim response explaining the delay and information on when to expect a response. Complaints are generally resolved within 14 business days of the initiation of the investigation. At the discretion of staff, complaints may be forwarded to the appropriate regulatory or licensing agency with notice to the complainant.

- If you feel that the DSHS Pharmacy Branch staff are unable to resolve your concern, please feel free to contact:

Patrice Kennemer

Customer Service Coordinator

Texas Department of State Health Services

PO Box 149347

Austin, Texas 78756

e-mail: [Customer Service](#)

Toll free 1-888-963-7111, ext. 2150 or 512-776-2150

TDD Relay 1-800-735-2989

Fax 512-776-7624

- If the Customer Service Coordinator is unable to resolve your concern, please feel free to contact:

The Texas Health and Human Services (HHSC) [Office of the Ombudsman](#).

HHSC Office of the Ombudsman

Mail Code: H-700

P. O. Box 13247

Austin, Texas 78711-3247

Toll-free: 1-877-787-8999

People who are deaf, hard of hearing, or speech impaired can call by using the toll-free Texas Relay service: 7-1-1 or 1-800-735-2989.

Fax Toll-free: 1-888-780-8099

Complaints may also be submitted online using the [Online Submission Form](#).

- Complaints may be anonymous; however, it is of assistance for the agency to know who you are and how you may be reached if more information is needed.